BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20054

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In the Matter of:	)	
	)	
Amendment of the Commission's Rules To	)	**PR Docket No. 93-35**
Provide Channel Exclusivity To Qualified	)	**RM-7986**
Private Paging Systems at 929-930 Mhz	)	

To: The Commission

COMMENTS OF METROCALL, INC.
A PRIVATELY HELD RADIO COMMON CARRIER

Metrocall, Inc., a Privately Held Radio Common Carrier hereby submits its comments regarding the Amendment of the Commission's Rules providing channel exclusivity to qualified private paging systems at 929-930 Mhz.

I. CHANNEL EXCLUSIVITY IS BENEFICIAL TO PAGING FREQUENCY SPECTRUM MANAGEMENT

We support the proposed rules for channel exclusivity as being in the public interest. While technically possible, we agree that channel sharing is not spectrally efficient, results in longer average message transmission times to all message recipients, and lowers overall channel capacity as compared with non-shared frequencies. The benefits of avoiding frequency sharing are so substantial that carriers have even negotiated with one another to vacate commonly shared frequencies, at a substantial commitment of time and capital to gain non-shared use of a single channel. Metrocall has participated in such a coordinated mutual vacating of spectrum in the Washington/Baltimore area on P5

and P6 frequencies with Metromedia Paging Services' predecessor companies in the same markets (American Radio Telephone Service t/a Contact of Washington and Radiofone of Arlington, and Radio Communications, Inc.). The result has been an increase in overall available airtime, and reduced call queuing time.

We applaud the Commission's foresight in recognizing that channel exclusivity is best structured before frequency congestion occurs. Incremental spectral efficiency becomes more difficult to achieve once a shared frequency is developed. Companies may be less willing to invest in efficiency enhancing technologies if their throughput gains are only made on their share of the available time-slots on a given frequency. Thus, shared frequencies will tend to lag in improvements on spectral efficiency over time. Where possible, channel sharing should be avoided.

II. THE REQUIREMENTS FOR CONFIGURATION OF PROTECTED SYSTEMS ARE REASONABLE AND STRAIGHTFORWARD

A. Local Systems

1. Number of Transmitters

We support the six transmitter minimum requirement for local systems as reasonable and appropriate. We agree that a larger minimum requirement would promote the construction of larger systems than needed in some markets where an efficient system size would be closer to the proposed number of six. We also concur that the requirements for a smaller number of transmitters (less than six) would progressively increase the risk of speculation in locally exclusive licenses, as the lost investment cost in these systems would be less of a deterent.

For systems in the top three markets a requirement to construct 18 transmitters is an appropriate number, although we feel that any number between

15 and 20 would be acceptable in reducing speculation. An extension of this requirement to additional top ten markets with an intermediate threshold requirement of 12 transmitters may also be a benefit in promoting efficient development of exclusively licensed spectrum in markets 4 through 10.

2. Contiguous Transmitters

We support the Commission's proposal to increase the maximum distance for contiguous transmitter operation to 25 miles. A new entrant to a market may always choose to construct contiguous transmitters at lesser separations, and thus the 25 mile maximum will simply allow greater economic freedom to those businesses to choose the optimal signal coverage to serve their markets, to the benefit of all.

We concur that "clustering" of multiple transmitters at the same location solely to meet the minimum threshold requirements for exclusivity should be avoided, and thus, that co-located transmitters should not be counted in the number qualifying for exclusivity.

3. Separation Standard

We support the application of a variable table for measuring separation standards for co-channel stations, using the same approach as for 900 Mhz Common Carrier Paging. We feel that whatever approach is adopted, the application of separation standards should be relatively simple to administer, and we encourage all efforts to simplify the licensing methodology while maintaining integrity of engineering.

B. Regional Systems

To obtain regional exclusivity, we believe a system should also fulfill the contiguous transmitter requirements that apply for local exclusivity within the top thirty markets, as proposed by the FCC. Those entities developing systems for regional exclusivity will have incentive to provide sufficient coverage in major markets that frequencies will not be under-utilized in an important market, due to regional (instead of local) exclusivity protections.

C. Nationwide Systems

For the same reasons, we support the 300 transmitter threshold as an appropriate requirement for nationwide exclusivity. Again, service providers will always gravitate towards a still larger number of transmitter facilities if the public demands it and it is economically feasible for them to construct and operate a larger system.

To assure the development of a nationwide frequency, we support the requirement for development and operation in not less than 50 markets, including at least 25 of the top 50 markets.

We recommend the elimination of the requirement for operation in at least 2 markets in each RBOC region as being unnecessary. With adequate competition of services, the paging provider that fails to serve a given region sufficiently will be handicapped with respect to its competitors. Market forces will serve to assure the development of all nationally exclusive licenses in a manner that is most responsive to the market's demands. It is improbable that an entire economic region would fail to be served adequately.

III. THE PROPOSED ALLOCATION OF CHANNELS IS FLEXIBLE AND ACCOMMODATES A VARIETY OF USERS

We support the equal eligibility of both commercial and non-commercial operators to apply for any PCP channel. By limiting the maximum construction period and minimum number of transmitters, adequate safeguards will be assureed that licensed spectrum is actually developed and operated, regardless of the end user.

We favor the FCC's proposal to reserve 5 channels that will continue to operate under the current rules, as this will allow small and single transmitter systems to operate on a non-exclusive basis where they can do so satisfactorily.

IV. THE PROPOSED PREREQUISITES FOR CHANNEL EXCLUSIVITY ARE REASONABLE AND SUFFICIENT

A. Construction Period

Eight months is sufficient time for PCP applicants to construct and begin operating their systems of up to 30 transmitters. Applicants should be required to proceed with all reasonable construction or lose their exclusivity.

For systems of more than 30 transmitters, we endorse the NABER proposed "slow growth" option with modification. Bona fide applicants should be allowed, upon showing of reasonable need for an extension, a detailed construction schedule, and evidence of financial ability to construct the system, a period of up to 18 months to construct their systems of up to 150 transmitters. A period of up to 3 years should be allowed only for systems greater than 150 transmitters. This slow growth option is beneficial to the public, because it would not forestall exclusivity for applicants who wish to construct a more substantial system than could be completed within the normal eight month requirement.

B. Technical Standards

We favor the efforts of the Commission to discourage speculative applications by adopting the proposed NABER minimum technical standards for a transmitter to be included in the count for channel exclusivity. Requiring that transmitters have a minimum 100 watts output and simulcast capability is an easy and effective way to further that end.

C. Loading Requirements

We concur with the Commission's conclusion that loading requirements are both burdensome to administer and difficult to calibrate. We believe that other

adequate aspects of the proposed rules pertaining to exclusivity are sufficient to discourage frequency speculation (minimum transmitters, contiguous coverage rules, construction requirements) and thus, that loading requirements are not needed.

D. Multiple Channels

Applicants for an exclusive frequency should be limited to requesting one frequency at a time at any location. We concur with the FCC proposal that no applicant be assigned a second frequency in a given area until the applicant has completed construction and begun operations on a qualifying system. Because of the size of investments involved in constructing systems, it is unlikely that many companies would choose to request a second frequency that they did not propose to build and operate. Therefore, we do not envision a need for any additional requirements.

V. APPLYING THE PROPOSED RULES TO EXISTING 900 MHZ PAGING SYSTEMS WILL AFFECT MINIMUM DISRUPTION TO THE INCUMBENT SYSTEMS PROVIDERS, WHILE FURTHERING OVERALL SPECTRUM EFFICIENCY

A. Systems currently qualified for exclusivity

Systems that qualify for exclusivity under the proposed rules should be immediately granted exclusivity at the time the rules go into effect. We support the Commission's position that licensees which already made the required investment in paging infrastructure at 900 MHz to qualify, should be afforded the same exclusivity as new applicants.

B. Grandfathering of smaller systems

We support the proposal to grandfather systems that pre-date the new rules with respect to co-channel transmitter minimum distance requirements. It is appropriate to examine how small systems might migrate from one frequency to another, allowing for greater overall spectral efficiency.

C. Lower band PCP systems

We agree with the Commission's tentative conclusions that lower band licensees should not receive a preference. There is no reason to do so since any lower band licensee may apply for frequencies in the 900 bands on an equal basis with other applicants. Preferences would serve no useful purpose, would make an uneven playing field, delay and complicate the licensing process, and possibly create pleadings and actions adding unnecessarily to the Commission's workload, without any significant benefits to the public or the Commission.

Respectfully submitted,

Harry L. Brock

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President